IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO. 677 OF 2002

M/s. Simla Agencies Appellant

vs.

1. Assistant Commissioner of Income Tax, Circle-24(2), Mumbai Respondent

Ms.A. Khan i/b. Ms.Jyoti Dailani for the appellant.

Mr.R.V.Desai with Ms. S.V. Bharucha i/b. Mr.Pankaj Kapur for the respondent.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ

DATED : 10th September 2004

P.C.

Heard.

2. The consideration of the matter by the Income Tax Appellate Tribunal is concluded on facts.

3. The reliance placed by the learned counsel for the assessee upon the cases of S. Veeriah Reddiar vs. Commissioner of Income-tax, Travancore-Cochin, Bangalore, 38 ITR 152 and M. Durai Raj v. Commissioner of Income-tax, Ernakulam, 83 ITR 484 have no application to the facts of the present case.

4. No substantial question of law arises.

5. Appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)